

Freshwater wetlands in the vicinity of the coast – Rule 2.03

Rule 2.03 A

- Applications submitted to DEM prior to August 18, 1999 stay with DEM.
- Determinations and permits completed by DEM prior to August 18, 1999 remain valid for the specified period.

Rule 2.03 B

- DEM will renew, transfer, modify, and enforce valid permits issued by DEM through December 31, 2001.
- As of January 1, 2002 CRMC will assume these responsibilities for valid DEM permits. DEM will retain permit authority if
 - 1.) A project is on the boundary or on both sides of boundary per 2.03D & E, or
 - 2.) There is an outstanding order or action associated with the permit, or
 - 3.) There is a legal case against DEM.

Rule 2.03 C

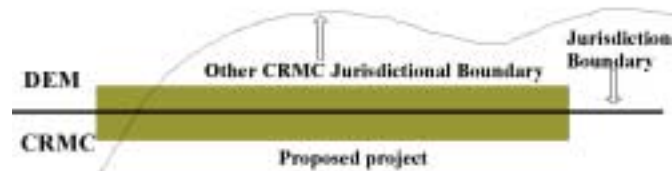
- DEM will continue to resolve enforcement actions involving freshwater wetlands in the vicinity of the coast that DEM initiated.

Rules 2.03 D & E

- Rules for applications for projects that are on the jurisdictional boundary, or that straddle the boundary

Rule 2.03 D (1)

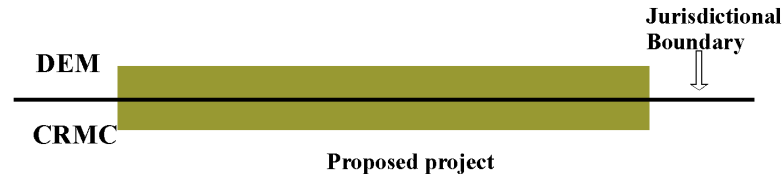
If the project is on the boundary and within other CRMC jurisdictions...



...then CRMC will review the project.

Rule 2.03 D (2)

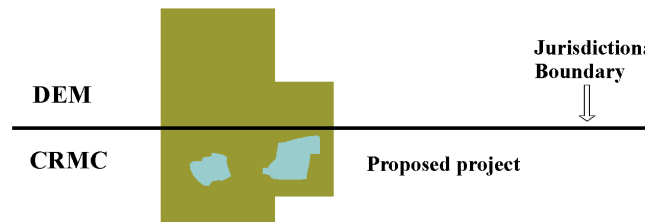
If the project is on the boundary and is entirely outside CRMC other jurisdictions...



...then DEM will review the project.

Rule 2.03 E (1)

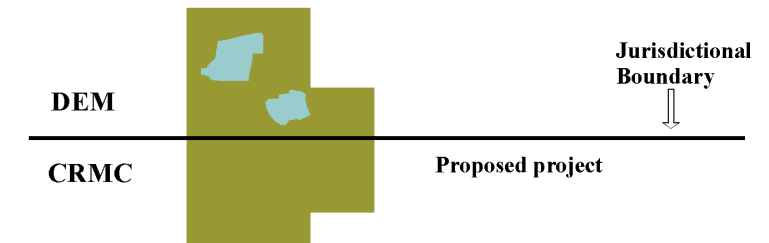
If the project is on both sides of the boundary and all freshwater wetlands are on the seaward side of the boundary...



...then CRMC will review the project.

Rule 2.03 E (2)

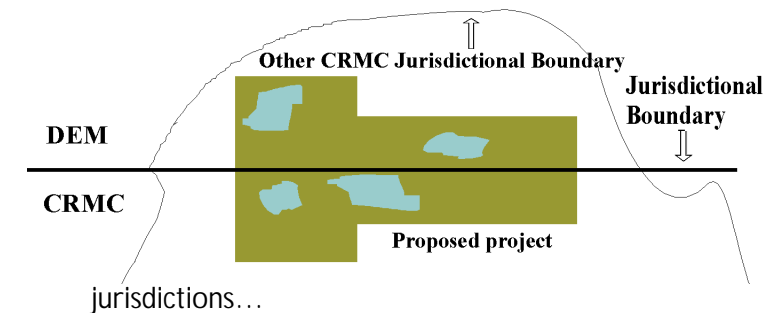
If the project is on both sides of the boundary and all freshwater wetlands are on the landward side of the boundary...



...then DEM will review the project.

Rule 2.03 E (3a)

If a project is on both sides of the boundary, wetlands are on both sides, the project is non-linear and the project is partially or entirely within other CRMC

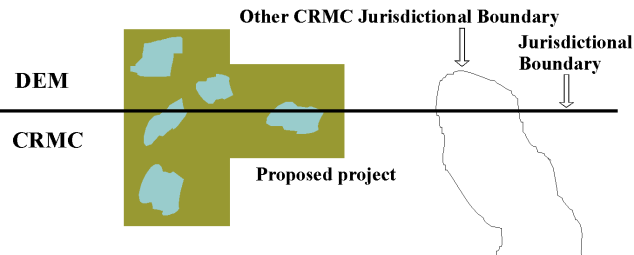


...then CRMC will review the project.

This brochure is a summary only. Please refer to DEM and CRMC Rules and Regulations for complete information.

Rule 2.03 E (3b)

If the project is on both sides of the boundary, wetlands are on both sides, and the project is entirely outside other CRMC jurisdictions...

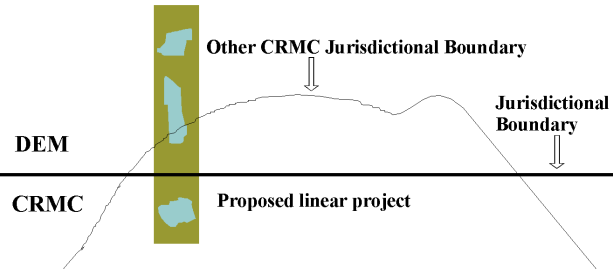


...then DEM will review the project.

Rule 2.03 E (4)

If the project is a linear project on both sides of the boundary, and the project is partially or entirely within other CRMC jurisdictional areas...

...then DEM and CRMC will determine the



reviewing agency on a case-by-case basis.

Rule 2.03 F

The agency that issues a permit for a project on the line or on both sides of line

- renews,
- transfers,
- modifies, and
- enforces the permit

Maps that illustrate the boundary are available for viewing at:

- Department of Environmental Management
Office of Technical and Customer Assistance
235 Promenade St.
Providence, RI 02908
Hours: Mon. – Fri. 8:30 – 4:00
Phone: 401-222-6822
- Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Rd.
Wakefield, RI 02879
Hours: Mon. – Fri. 8:30 – 4:00
Phone: 401-783-3370
- Applicable coastal city and town halls



**STATE OF RHODE ISLAND
Department of Environmental
Management**

**Freshwater Wetlands
Rule 2.03**

Effective September 2001

*To summarize DEM and CRMC
regulation of “freshwater wetlands
in the vicinity of the coast”*

